



# House of Commons

## NOTICES OF AMENDMENTS

given on

**Thursday 29 August 2013**

*For other Amendment(s) see the following page(s):*  
European Union (Referendum) Bill Committee 19-24

### **PUBLIC BILL COMMITTEE**

## **EUROPEAN UNION (REFERENDUM) BILL**

Mr Barry Sheerman

Clause 1, page 1, line 9, at end insert—

41

‘(4A) The Electoral Commission shall be instructed to draw up a question for approval by both Houses of Parliament which shall ask whether the UK prefers to be a member of the European Union, of the European Economic Area, or whether it would prefer to exit the European Economic Area.’

Mr Barry Sheerman

Clause 2, page 1, line 20, at end insert—

43

‘(c) this Act shall not come into force until the disqualification of peers from voting as electors at parliamentary elections has been removed.’

Mr William Bain

Clause 1, page 1, line 14, at end insert—

44

‘() If the turnout for the vote is found to be less than 50 per cent of eligible electors, the referendum is to be considered invalid.’

Mr William Bain

Clause 1, page 1, line 14, at end insert—

45

‘() If it appears to the Secretary of State that less than 40 per cent of the persons entitled to vote in the referendum have voted “no” in reply to the question posed in the referendum he shall lay before Parliament the draft of an Order for the repeal of this Act.’

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**European Union (Referendum) Bill, *continued***

- Martin Horwood 46  
 Clause 1, page 1, line 5, leave out ‘shall’ and insert ‘may’.
- Martin Horwood 47  
 Clause 1, page 1, line 5, leave out from ‘order’ to end of line 6 and insert ‘and only when the referendum conditions are met as defined in the EU Act 2011, appoint the day on which the referendum is to be held’.
- Martin Horwood 48  
 Clause 1, page 1, line 6, after ‘day’, insert ‘which does not coincide with the UK’s presidency of the Council of the European Union’.
- Martin Horwood 49  
 Clause 1, page 1, line 7, leave out sub-paragraph (4) and insert—  
 ‘(4) The Secretary of State shall consult the Electoral Commission regarding the question that is to appear on the ballot papers under subsection 3(1), as stipulated in Clause 104 of the Political Parties, Elections and Referendums Act 2000.’.
- Martin Horwood 50  
 Clause 1, page 1, line 9, leave out ‘be a member of’ and insert ‘withdraw from’.
- Martin Horwood 51  
 Clause 1, page 1, line 14, at end insert—  
 ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the consequences of withdrawal from the European Union on the free movement of goods, capital, people and services between the United Kingdom and the European Union.’.
- Martin Horwood 52  
 Clause 1, page 1, line 14, at end insert—  
 ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the legal and economic consequences of withdrawal from the European Union on the United Kingdom’s participation in the European Union’s external trade agreements.’.
- Martin Horwood 53  
 Clause 1, page 1, line 14, at end insert—  
 ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the economic consequences of withdrawal from the European Union on the representation of the United Kingdom at the World Trade Organisation.’.
- Martin Horwood 54  
 Clause 1, page 1, line 14, at end insert—

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European Union (Referendum) Bill, *continued*

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the environmental and economic consequences of withdrawal from the European Union on the representation of the United Kingdom at the United Nations Framework Convention on Climate Change.’.

Martin Horwood

55

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the consequences of withdrawal from the European Union for the competencies exercised by the European Union that are identified in the Government’s Balance of Competence Review as appropriate.’.

Martin Horwood

56

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the consequences of withdrawal from the European Union for the economy of the United Kingdom.’.

Martin Horwood

57

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the environmental, legal and economic consequences of withdrawal from the European Union on the United Kingdom’s participation in the EU Emissions Trading Scheme.’.

Martin Horwood

58

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the consequences of withdrawal from the European Union on cooperation with Frontex.’.

Martin Horwood

59

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the consequences of withdrawal from the European Union on the United Kingdom’s participation in Europol.’.

Martin Horwood

60

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the legal and judicial consequences of withdrawal from the European Union on the United Kingdom’s participation in Eurojust.’.

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**European Union (Referendum) Bill, *continued***

Martin Horwood

61

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the consequences of withdrawal from the European Union on the United Kingdom’s participation in the Schengen Information System.’

Martin Horwood

62

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the consequences of withdrawal from the European Union on the United Kingdom’s participation in the European Arrest Warrant.’

Martin Horwood

63

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the economic and scientific consequences of withdrawal from the European Union on European Union Research and Development funding in the United Kingdom.’

Martin Horwood

64

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the economic consequences of withdrawal from the European Union on European Structural and Investment funding in the United Kingdom.’

Martin Horwood

65

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the economic consequences of withdrawal from the European Union on European Investment Bank funding in the United Kingdom.’

Martin Horwood

66

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the economic and environmental consequences of withdrawal from the European Union on support for the agricultural sector in the United Kingdom.’

Martin Horwood

67

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report on the potential budgetary contributions by

**European Union (Referendum) Bill, *continued***

the United Kingdom to the European Union following withdrawal from the European Union.’.

Martin Horwood

68

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the legal and economic consequences of withdrawal from the European Union on the rights of British consumers.’.

Martin Horwood

69

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance of the proposed polling day the Secretary of State shall publish a comprehensive report of the legal and foreign policy consequences of withdrawal from the European Union on the United Kingdom’s participation in the Common Foreign and Security Policy.’.

Martin Horwood

70

Clause 1, page 1, line 14, at end insert—

- ‘(7) At least 12 weeks in advance from the proposed polling day the Secretary of State shall publish a comprehensive report of the legal and defence and foreign policy consequences of withdrawal from the European Union on the United Kingdom’s participation in the Common Security and Defence Policy.’.

Martin Horwood

71

Clause 2, page 1, line 20, at end add ‘but—

- (i) would be entitled to vote as electors at a local government election in any electoral area in Great Britain,
  - (ii) would be entitled to vote as electors at a local election in any district electoral area in Northern Ireland, or
  - (iii) would be entitled to vote as electors at a European Parliamentary election in any electoral region by virtue of section 3 of the Representation of the People Act 1985 (peers resident outside the United Kingdom).
- (2) In subsection (2)(b)(i) “local government election” includes a municipal election in the City of London (that is, an election to the office of mayor, alderman, common councilman or sheriff and also the election of any officer elected by the mayor, alderman and liveryman in common hall).’.

Martin Horwood

NS3

To move the following Schedule:—

‘COMBINATION OF POLLS

- (1) Where the date of the poll for one or more of the following is the same as the date of the poll for the referendum, the polls are to be taken together—
- (a) a local authority election in England;
  - (b) a local referendum in England;
  - (c) a mayoral election in England;

**European Union (Referendum) Bill, *continued***

- (d) a Welsh Assembly general election;
  - (e) Welsh local elections;
  - (f) a Scottish parliamentary general election;
  - (g) Scottish local elections;
  - (h) the general election of members of the Northern Ireland Assembly;
  - (i) local elections in Northern Ireland.
- (2) If any of the elections referred to in subsection (1) are not held on the same day as the referendum, that subsection does not apply.
- (3) In this section—
- “local authority election in England” means the election of a councillor of any of the following—
- (a) a county council in England;
  - (b) a district council in England;
  - (c) a London borough council;
  - (d) a parish council.
- “local referendum in England” means a referendum held in England under Part 2 of the Local Government Act 2000;
- “mayoral election in England” means an election in England for the return of an elected mayor as defined by section 39(1) of the Local Government Act 2000;
- “Northern Ireland local election” means a local election as defined by section 130(1) of the Electoral Law Act (Northern Ireland) 1962;
- “Scottish parliamentary general election” means an ordinary election under section 2 of the Scotland Act 1998;
- “Welsh Assembly general election” means an ordinary election under section 3 of the Government of Wales Act 2006.’.

Emma Reynolds

72

Clause 1, page 1, line 14, at end insert—

- (7)
- (a) Before a referendum can take place, a statutory committee of both Houses, called the Joint Committee on Britain’s Membership of the European Union, shall be established to issue a report on the costs and benefits of leaving the European Union;
  - (b) The Committee shall consist of no more than 19 members, drawn from both Houses of Parliament, none of whom shall be Ministers of the Crown;
  - (c) The members of the Committee shall be nominated by the Speaker of the House of Commons and the Lord Speaker of the House of Lords respectively, in accordance with the Standing Orders or Resolutions of their respective Houses, and subject to the approval of their respective Houses;
  - (d) Members of each House shall be members of the Committee until discharged by their House or if they cease to be a Member of that House or if they become a Minister of the Crown;
  - (e) The Committee shall elect a Chair from among those of its members who sit in the House of Commons;
  - (f) The Committee may determine its own procedure, which shall be broadly in line with that followed by Joint Committees of the two Houses; and
  - (g) after the Committee has issued a report, a motion shall be moved in each House of Parliament to give effect to that recommendation.’.

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**European Union (Referendum) Bill, *continued***

- Emma Reynolds 73
- Clause 1, page 1, line 6, at end insert—  
(3A) The Secretary of State shall appoint the date on which the referendum is to be held at least 28 weeks in advance of the proposed polling day.’
- Emma Reynolds 74
- Clause 1, page 1, line 13, after the second ‘a’, insert ‘super-affirmative resolution as set out under section 18 of the Legislative and Regulatory Reform Act 2006.’
- Emma Reynolds 75
- Clause 1, page 1, line 14, at end insert—  
(7) The Secretary of State shall consult with the Electoral Commission before making an order under subsection (6).’
- Emma Reynolds 76
- Clause 2, page 1, line 20, at end insert—  
(c) (i) provision will be made so that all Britons resident in Gibraltar aged 16 and over will be able to vote in person or by post.’
- Emma Reynolds 77
- Clause 2, page 1, line 20, at end insert—  
(d) provision will be made so that all British soldiers resident abroad aged 16 and over will be able to vote in person or by post.’
- Emma Reynolds 78
- Clause 2, page 1, line 20, at end insert—  
(c) would be entitled to vote as electors at a European parliamentary election in any electoral region by virtue of section 3 of the Representation of the People Act 1985 (peers resident outside the United Kingdom).’
- Emma Reynolds 79
- Clause 2, page 1, line 20, at end insert—  
(c) This Act shall not come into force until the disqualification of peers from voting as electors at parliamentary elections has been removed.’
- Emma Reynolds 80
- Clause 3, page 2, line 14, at end insert—  
(i) results for the referendum will be published according to European parliamentary constituencies, except that Gibraltar’s returns shall be published separately from the rest of the South West.’
- Emma Reynolds 81
- Clause 3, page 2, line 13, after the second ‘a’, insert ‘super-affirmative resolution’.

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 European Union (Referendum) Bill, *continued*

Emma Reynolds

82

Clause 3, page 2, line 6, leave out sub-paragraphs (2) and (3) and insert ‘the referendum will be conducted in accordance with section 101 to section 110 of the Political Parties Elections and Referendums Act 2004.’.

Emma Reynolds

83

Clause 3, page 2, line 7, leave out ‘by order’ and insert ‘present further legislation to Parliament to’.

Emma Reynolds

84

Clause 3, page 2, line 9, leave out sub-paragraph (4).

Emma Reynolds

85

Clause 3, page 2, line 6, leave out sub-paragraphs (2), (3) and (4) and insert—

- ‘(2) An order under this section may not be made unless the Secretary of State has consulted with the Electoral Commission.
- (3) The Secretary of State may by order make further provisions for the purposes of facilitating the holding of the referendum or implementing recommendations of the Electoral Commission in respect of the referendum.
- (4) An order under this section may make minor, consequential or incidental modifications or amendments to this Act or another enactment that was passed before this Act is passed if the Secretary of State is reasonably satisfied that there are compelling reasons to make such modifications or amendments.
- (4A) No order under this Act may be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.’.

Emma Reynolds

86

Clause 3, page 2, line 14, at end insert—

- ‘(1) The counting officer must provide each presiding officer with however many ballot boxes and ballot papers the counting officer thinks are necessary.
- (2) Every ballot box must be constructed so that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked or (in the case of a box without a lock) the seal being broken.’.

Barry Sheerman

87

Clause 1, page 1, line 14, at end insert—

- ‘(7) (a) Within six months of this Act receiving Royal Assent the Prime Minister will, following a consultation, lay before both Houses of Parliament a report providing details of the powers and competencies held by the European Union under the Treaty on European Union and the Treaty on the Functioning of the European Union which the Government intends to repatriate from the European Union to the United Kingdom;
- (b) six months after the report in subsection (1) being laid before both Houses, the Government will lay a further report detailing what success it has had at securing the powers requested in the report in subsection (1).’.

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 European Union (Referendum) Bill, *continued*

- Barry Sheerman 88  
 Clause 1, page 1, line 7, after ‘the’, insert ‘only’.
- Barry Sheerman 89  
 Clause 1, page 1, leave out lines 8 and 9 and insert “‘Should the United Kingdom remain a member of the European Union.’”.
- Barry Sheerman 90  
 Clause 1, page 1, line 14, at end insert—  
 ‘(8) A referendum cannot be held after the dissolution of the Parliament in existence at the commencement of this Act.’.
- Barry Sheerman 91  
 Clause 1, page 1, line 9, at end insert—  
 ‘If the turn out for the vote is found to be less than 50 per cent of electors, the referendum is to be considered invalid.’.
- Barry Sheerman 92  
 Clause 1, page 1, line 9, at end insert—  
 ‘If it appears to the Secretary of State that less than 40 per cent of the persons entitled to vote in the referendum have voted “no” in reply to the question posed in the referendum he shall lay before Parliament the draft of an Order for the repeal of this Act.’.
- Barry Sheerman 93  
 Clause 2, page 1, line 17, leave out from ‘would’ to end and insert ‘are British citizens resident in the United Kingdom and have attained the age of 16 years old.’.
- Barry Sheerman  
 Jim Dowd 94  
 Clause 1, page 1, line 11, at end insert ‘In Cornwall, a Cornish version of the question shall also appear on the ballot papers.’.
- Barry Sheerman  
 Jim Dowd 95  
 Clause 1, page 1, line 11, at end insert ‘In Northern Ireland, an Irish and an Ulster Scots version shall also appear on the ballot papers. In Scotland a Gaelic and a Scots version shall also appear on the ballot papers.’.

**European Union (Referendum) Bill**, *continued*

Barry Sheerman

96

Clause 2, page 1, line 20, at end insert—

(d) provision will be made so that all Britons resident abroad aged 16 and over will be able to vote in person or by post.’

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